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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,511	10/22/2001	Shannon Morris	SSV-83441	6509
30764 75	590 08/19/2004		EXAM	INER
SHEPPARD,	MULLIN, RICHTER	BUI, LUAN KIM		
333 SOUTH HOPE STREET				
48TH FLOOR			ART UNIT	PAPER NUMBER
LOS ANGELE	S, CA 90071-1448		3728	

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		A
	Application No.	Applicant(s)
	10/004,511	MORRIS, SHANNON
Office Action Summary	Examiner	Art Unit
	Luan K Bui	3728
The MAILING DATE of this communication ap Period for Reply	ppears on the cover sheet w	ith the correspondence address
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the maili earned patent term adjustment. See 37 CFR 1.704(b).	1.136(a). In no event, however, may a split within the statutory minimum of thir d will apply and will expire SIX (6) MON te, cause the application to become Al	reply be timely filed ty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).
Status		
1) Responsive to communication(s) filed on 18.	June 2004.	
	is action is non-final.	
3) Since this application is in condition for allow	ance except for formal mat	ters, prosecution as to the merits is
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D.). 11, 453 O.G. 213.
Disposition of Claims		
4) Claim(s) 1-15 is/are pending in the applicatio	n.	
4a) Of the above claim(s) is/are withdra	awn from consideration.	
5) Claim(s) is/are allowed.		
6)⊠ Claim(s) <u>1-15</u> is/are rejected.		
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and/	or election requirement.	
Application Papers		
9)☐ The specification is objected to by the Examin	ner.	
10) The drawing(s) filed on is/are: a) ac	cepted or b) objected to	by the Examiner.
Applicant may not request that any objection to the	e drawing(s) be held in abeyar	nce. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the corre	ction is required if the drawing	(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the E	Examiner. Note the attached	d Office Action or form PTO-152.
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of: 1. Certified copies of the priority documer 2. Certified copies of the priority documer 3. Copies of the certified copies of the priority application from the International Burea * See the attached detailed Office action for a lis	nts have been received. nts have been received in A ority documents have been au (PCT Rule 17.2(a)).	Application No received in this National Stage
Occ the attached detailed Office action for a lis	is of the certified copies flot	TOURINGU.
Attachment(s) Notice of References Cited (PTO-892)	4) 🗍 Intention 9	Summary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s	s)/Mail Date
B) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date	5) Notice of Ii 6) Other:	nformal Patent Application (PTO-152)

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After further reconsideration of the decision on petition mailed on 4/19/2004, the Examiner is hereby withdrawn the Examiner's answer and the supplemental Examiner's answer in favor of reopening prosecution.

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 3 and 8-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 3 and 8, the phrase "a diameter and height capable of holding at least one finger ring" is vague, confusion and indefinite because it has no clear meaning and also the at least one finger ring is not claimed in combination with the organizer.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

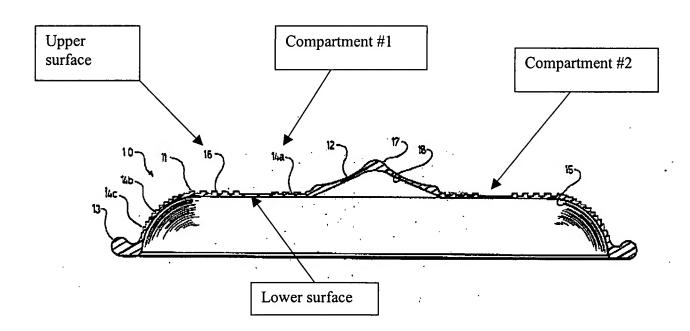
A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, Jr. (4,212,131). Ross, Jr. discloses a disk toy/organizer (10) comprising a body having an upper surface (16) and a lower surface (15), a knob (12) protruding upwardly from the body and extending above the upper surface, at least two separate compartments (14) formed in the upper

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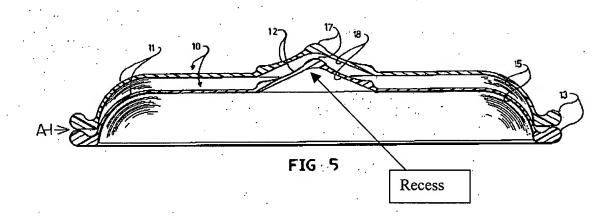
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surface of the body and each compartment defined an elongate endless channel, and a recess in the lower surface of the body to provide a means for stackable configuration between the recess and the knob. Ross, Jr. further discloses each of the channels surrounded the knob on the upper surface and an outer rim includes a lip (13) around the periphery of the body. The compartments of Ross, Jr. are inherently capable for receiving jewelry and a diameter and height of the knob is inherently capable of holding at least one finger ring.



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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luan K. Bui whose telephone number is (703) 305-5861. If in receiving this Office Action, it is apparent to Applicant that certain documents are missing from the record for example copies of references cited, form PTO-1449, form PTO-892, etc., requests for copies of such papers should be directed to TC 3700 Customer Service at (703) 306-5648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Customer Service whose telephone number is (703) 872-9301. Facsimile correspondence for this application should be sent to (703) 872-9306 for Formal papers and After Final communications.

lkb

August 13, 2004

Luan K. Bui Primary Examiner